

REMARKS

Claims 1, 3-11 and 14-26 are pending in the current application. Claims 1, 19, 22 and 26 are independent claims.

35 U.S.C. § 103(a) Boltz

Claims 1, 3-11, 14-18 and 22-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boltz. Applicant respectfully traverses this art grounds of rejection.

The Examiner alleges that “screening the wireless call if the determining step determines that the wireless call originates from the defined geographical area within a given period of time” is disclosed by Boltz in column 4, lines 11-39 and column 5, lines 26-29 (page 2 of the Office Action). Applicant respectfully disagrees.

With respect to column 4, lines 11-39, Boltz discloses that after an emergency is reported via a first emergency call by a first mobile station, a second mobile station within the same location area may also establish an emergency call. Once an assessment of the location of the second mobile station has been made, a second application module “instructs an associated announcement machine (AM) 210 to provide an announcement message towards the second mobile station 10B. Such a message informs the mobile subscriber that an incident from approximately the same geographic area has already been reported” (column 4, lines 39-44). Boltz further states that “[t]he mobile subscriber associated with the second mobile station 10B may then choose to remain connected to the PSAP after hearing the played message, hang up and terminate the call, or interrupt the announcement message and immediately be connected to the next available PSAP operator” (column 4, lines 46-51). Thus, the call from the second mobile station is not screened; rather, a call proceeds as an emergency call only based on a selection by the mobile subscriber (i.e., the user of the second mobile station) after the message is heard and evaluated by the mobile subscriber. The mobile subscriber must evaluate the message to determine whether a new emergency requires reporting.

In column 5, lines 26-29, Boltz discloses that the above described message “may be generated for a predetermined amount of time (such as 20 minutes after the first reporting of the incident by the first mobile station 10A), or until the PSAP instructs otherwise”. While Boltz discloses playing this message to the user for a given amount of time after an incident,

this message has nothing to do screening. This is simply a message broadcasted to any call received within the geographic area of the initial call.

Further, Applicants agree with the Examiner in that “Boltz et al. do not explicitly disclose ‘the’ given period of time” (page 3 of the Office Action). However, the Examiner states the “Boltz et al. strongly suggest evaluating the calls made to the PSAP within a predetermined time” (page 3 of the Office Action). However, the “pre-determined time” referred to by Boltz, as discussed above, is related to a message broadcast and not to a screening operation. The Examiner states that “it would have [been] obvious to one of ordinary skill in the art at the time the invention was made to implement the system as taught by Boltz et al. with mechanisms to provide an evaluation of calls originating from the same event area that are located within a given time threshold in order to avoid the clutching of useful resources and superfluous emergency calls. For example, the operator would order a screening of calls for a period of one hour and stop and restate the screening for a different period as the calls coming from the predetermined area and determined time are not going to continue for days, as the calls are coming from the same event would need to cease as the emergency event is taken care of” (pages 3-4 of the Office Action). However, the Examiner has given no evidence or factual support for the above described motivation to combine. Under MPEP §2144.04(c), “the Examiner must provide documentary evidence in the next Office Action if the rejection is to be maintained” and “if the Examiner is relying on personal knowledge to support the finding of what is known in the art, the Examiner must provide an affidavit or declaration setting forth the specific factual statements and explanation to support the findings” (See MPEP §2144.04(c)).

In view of the above, Applicant respectfully submits that Boltz cannot disclose or suggest “screening the wireless call if the determining step determines that the wireless call originates from the defined geographic area within the given period of time” as recited in independent claim 1 and similarly recited in independent claims 22 and 26.

As such, claims 3-11, 13-18, and 23-25 dependent upon independent claims 1 and 22, respectfully, are likewise allowable over Boltz at least for the reasons given above with respect to independent claims 1 and 22.

Applicant respectfully requests that the Examiner withdraw this arts ground of rejection.

35 U.S.C. § 102(e) Nagendran

Claims 19-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Nagendran. Applicant respectfully traverses this arts grounds of rejection.

The Examiner appears to direct the arguments on pages 10 and 11 of the Office Action to “location specific information”, and alternatively as “location based information”. For example, the Examiner states that “the system may determine that the request from the mobile device is information required by the wireless device such as location specific information to include request preferences as a gas station, a restaurant, shopping centers” (page 10 of the Office Action) (emphasis added) and “thereafter the action of compiling the message comprising of location based information is sent to the message generator and subsequently to the requesting mobile device” (page 11 of the Office Action) (emphasis added). However, “location specific information” and “location based information” are not limitations recited in independent claim 19. Thus, the Examiner appears to be mischaracterizing the limitations of independent claim 19 which recite a class of wireless calls “being one of location incentive offers, wireless based games, and wireless location based advertisements”.

Nagendran discloses methods of using wireless geolocation to customize content and delivery information to wireless communication devices. Nagendran states that a base station “receives a request for information from a mobile device” (column 5, lines 34-35). A return message including location specific information (i.e., the information requested by the mobile station) is then sent back to the mobile station from an information gathering source. Nagendran discloses that, based on this received information, the mobile station may send a follow-up request for certain information (e.g., the location of a gas station, a restaurant, etc.) based on the received location specific information (column 5, lines 57-64). This requested information is not a “location incentive offer” since it is only location information and no offer is made. Further, this information is not a “wireless location based advertisement” because it is based on a request from the user and not simply the location of the user. In other words, specific requested information is not an advertisement.

The Examiner further states that Nagendran strongly suggests commercial advertisement information corresponding to a mobile’s location (page 11 of the Office Action). However, Nagendran’s disclosure of commercial advertisement information is limited to “in addition, public safety and emergency announcements, commercial

advertisement information, and many other services can also be made available to mobile device users” (col. 7, lines 14-17); no other mention of “commercial advertisement information” is made in the Nagendran reference. Further, Nagendran does not list these examples as replacements for the “location specific information”, but rather merely lists examples of types of communication within a information service network. As such, Applicant respectfully submits that the Nagendran reference does not provide the requisite motivation to replace the “location based information” and/or “location specific information” with a commercial advertisement.

Since the Examiner has mischaracterized the features of independent claim 19, Applicants respectfully submit that Nagendran cannot disclose or suggest “determining whether the received wireless call falls within a class of wireless calls, the class of wireless calls being one of location incentive offers, wireless based games, and wireless location based advertisements” as recited in independent claim 19.

As such, claims 20-21, dependent upon independent claim 19, are likewise allowable over Nagendran at least for the reasons given above with respect to independent claim 19.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 3-11 and 14-26 in connection with the present application is earnestly solicited.

Should there be any outstanding matter that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

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